

SENATE BILL NO. 17

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY SENATORS WIELECHOWSKI, Gardner

Introduced: 1/21/15

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to denial of requests for disclosure of public records."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 40.25 is amended by adding a new section to read:

4 **Sec. 40.25.126. Denial of request for public records.** (a) A person having
5 custody or control of a public record who denies a written request to inspect or copy a
6 public record subject to inspection or copying under AS 40.25.110 - 40.25.220 shall
7 provide a denial to the person making the request that

8 (1) is in writing;

9 (2) identifies the type of public record;

10 (3) identifies the date of the public record;

11 (4) identifies the general subject matter of the public record;

12 (5) states the reason for the denial and the exception under
13 AS 40.25.120, the federal or state law or regulation, or the other legal basis that
14 authorizes the nondisclosure;

15 (6) if the public record is correspondence, identifies the name of the

1 sender and recipient of the record;

2 (7) includes notice to the requester of the right to appeal the denial
3 under AS 40.25.124 or seek injunctive relief under AS 40.25.125;

4 (8) is dated and signed by the person issuing the denial and describes
5 the authority, or the delegation of authority, for the person as custodian of the record;
6 and

7 (9) meets other requirements set by regulation under AS 40.25.123.

8 (b) A person having custody or control of a public record who denies an oral
9 request to inspect or copy a public record subject to inspection or copying under
10 AS 40.25.110 - 40.25.220 shall meet the requirements set by regulation under
11 AS 40.25.123.